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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,635	08/07/2003	Pierre Bonnard	Q76743	8467
23373	7590	05/22/2006	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			CAI, WAYNE HUU	
			ART UNIT	PAPER NUMBER
			2617	

DATE MAILED: 05/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/635,635

Applicant(s)

BONNARD ET AL.

Examiner

Wayne Cai

Art Unit

2617

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 08 May 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.

b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because

(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

(b) ☐ They raise the issue of new matter (see NOTE below);

(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____

13. ☐ Other: _____.

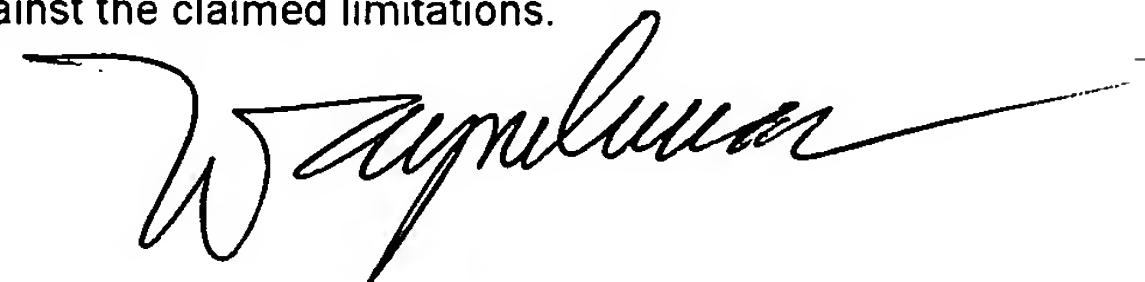
Continuation of 11. does NOT place the application in condition for allowance because: The applicants assert on page 3 of the Remarks that the data structure diagram 200 (Fig. 7 of Kazmi) is not used to detect or determine the geographical area in which the mobile telephone device is located at a particular period of time. The Applicants, however, admit that Fig. 7 of Kazmi does teach identifying the home zone that a particular mobile device associated with during a particular time. The Examiner once again clarifies to the Applicants that identifying the home zone of a particular mobile device associated with during a particular time reads on determining or detecting the geographical area of that particular mobile device at a particular time.

The Applicants further states that Kazmi does not teach "detection of geographical area of a mobile telephone at a predetermined time." The Examiner once again disagrees with the arguments because Kazmi teaches that determining the geographical area at a particular time as explained above. In addition, Kazmi discloses that an application module 300 associated with the HLR 70 then evaluates the time period specified by each tuple or record and determine which home zone is currently effective for the mobile station 40. Since the time period specified for each tuple or record is a preset or predetermined effective period of time. It is clear to one skilled in the art that Kazmi teaches the determination of geographical area is located at predetermined time. For instance, Kazmi teaches the step of determining where the mobile station is located on Monday from 8:01 AM to 5:00 PM, and so on.

In response to arguments of claims 7 and 28 at the last paragraph on page 3 or Remarks, the Examiner respectfully invites the Applicants to previous citation where Kazmi teaches that an application module 300 associated with the HLR 70 then evaluates the time period specified by each tuple or record. In addition, Kazmi teaches that a register 30 stores data as fully described by Fig. 7. Hence, it is broadly interpreted that the register stores the time period specified by each tuple or record (please also refer to Fig. 7).

In response to arguments on page 4 of Remarks, the Examiner agrees with the Applicants that "detecting periodically" means that performing detection at a regular occurring intervals. However, the Applicants does not specify exactly how regular the interval should be. Therefore, it is the Examiner's position to give the broadest reasonable interpretation of "detecting periodically" means detect a regular interval as specified in Fig. 7.

In response to arguments at the last paragraph on page 4 to page 5, the Examiner would maintain the rejections since the Applicants do not specify and explain why or how the cited references would not be able to apply against the claimed limitations.



ELISEO RAMOS-FELICIANO
PRIMARY EXAMINER